REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1, 25, 27, 38, and 49 are currently being amended. Claims 6, 7, and 17 were canceled in a previous amendment. After amending the claims as set forth above, Claims 1-5, 8-16, and 18-60 are now pending in this application.

I.   Claims rejections Under 35 U.S.C. § 103(a)

In the Advisory Action mailed January 16, 2008, the Examiner maintained the rejection of Claims 1-5, 8-13, 18, 19, and 24-60 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Application Publication No. 2003/0039270 to Chang et al. (hereinafter "Chang") in view of United States Patent Application Publication No. 2006/0098688 to Parkvall et al. (hereinafter "Parkvall"). While Applicants do not agree with the Examiner's position, in the interest of furthering prosecution, Applicants have amended the claims to more particularly describe relevant features described in the present application.

Claim 1, as currently amended, recites that:

> if the current control information in the current transmission is to be used alone for decoding a transport channel, providing a first indication in the predetermined bit pattern that the current control information is to be used alone for decoding the transport channel; and

> if at least a portion of control information from an earlier transmission is to be used to decode the transport channel, providing a second indication in the predetermined bit pattern that the control information from the earlier transmission is to be used to decode the transport channel.

(Emphasis added). Similarly, Claims 25 and 38, as currently amended, recite that:

> if the current control information in the current transmission is to be used alone for decoding a transport channel, provide a first indication in the predetermined bit pattern that the current control information is to be used alone for decoding the transport channel; and

> if at least a portion of control information from an earlier transmission is to be used to decode the transport channel, provide <u>a second indication in the predetermined bit pattern that the control information from the earlier transmission is to be used to decode the transport channel.</u>

(Emphasis added). Claim 27, as currently amended, recites that:

> if the current control information in the current transmission is to be used alone for decoding a transport channel, <u>receive a first indication in the predetermined bit pattern that the current control information is to be used alone for decoding the transport channel;</u> and

> if at least a portion of control information from an earlier transmission is to be used to decode the transport channel, <u>receive a second indication in the predetermined bit pattern that the control information from the earlier transmission is to be used to decode the transport channel.</u>

(Emphasis added). Claim 49, as currently amended, recites:

> wherein if the current control information in the current transmission is to be used alone for decoding a transport channel, <u>a first indication in the predetermined bit pattern indicates that the current control information is to be used alone for decoding the transport channel;</u> and

> wherein if at least a portion of control information from an earlier transmission is to be used to decode the transport channel, <u>a second indication in the predetermined bit pattern indicates that the control information from the earlier transmission is to be used to decode the transport channel.</u>

(Emphasis added). Applicants respectfully submit neither <u>Chang</u> nor <u>Parkvall</u>, alone or in combination, disclose, teach, or suggest such elements.

<u>Chang</u> discloses a "signaling method between a MAC ... layer entity of a transmission apparatus and a MAC layer entity of a reception apparatus in a packet communication system ...." (Abstract). <u>Chang</u> also discloses "transmitting a MAC signaling message including control information and a signaling indication indicating transmission of the control information ...." (Paragraph [0033]). <u>Chang</u> further discloses that "a MAC header according

to ... the present invention has a MAC signaling indication field .... [I]f the indication bit is '0', it indicates a conventional MAC PDU. However, if the indication bit is '1', MAC SDU ... is comprised of only control information for MAC signaling." (Paragraph [0063].)

Thus, Chang discloses a signaling indication which indicates the presence of control information in a MAC signaling message. However, Chang does not teach, suggest, or describe providing or receiving "a first indication in the predetermined bit pattern that the current control information is to be used alone for decoding the transport channel" or "a second indication in the predetermined bit pattern that the control information from the earlier transmission is to be used to decode the transport channel," as recited in Claims 1, 25, 27, 38, and 49. (Emphasis added). Applicants respectfully submit that indicating the presence of control information is not the same as providing an indication of whether control information in a current transmission is to be used alone to decode a transport channel. Further, indicating the presence of control information is not the same as providing an indication that at least a portion of control information from an earlier transmission is to be used to decode the transport channel.

In section 4 of the final Office Action, the Examiner acknowledges that "Chang does not specifically teach whether control information in the current transmission can be used alone for decoding a transport channel." However, the Examiner indicates that Parkvall discloses such an element. Applicants respectfully disagree. Parkvall is directed toward "a backward compatible channel structure allowing for shorter than existing transmission time intervals." (Paragraph [0048]). The shorter time interval is provided by use of "a corresponding sub-frame, shorter than that existing, [and] requiring a new structure on the physical channel." (Paragraph [0066]). To obtain the new structure on the physical channel, Parkvall discloses that "a radio frame according to the preferred embodiment of the invention is divided into an integer number of equally sized sub-frames, each sub-frame comprising an integer number of slots." (Paragraph [0068]). Parkvall goes on to disclose that "[a]ccording to the preferred embodiment ..., $TFCI_{sf}$, is included in every transmitted sub-frame of DPCCH." (Paragraph [0070]). "Data transmitted in the sub-frame on DPDCH ... is decoded using $TFCI_{sf}$ information and forwarded to higher layers." (Paragraph [0074]).

Thus, <u>Parkvall</u> discloses a system for reducing transmission time intervals in which radio frames are subdivided into a plurality of sub-frames. Each sub-frame includes a TFCI$_{sf}$ for decoding data transmitted in the sub-frame. Applicants respectfully submit that using a TFCI in a sub-frame to decode data is not the same as providing or receiving "a <u>first indication</u> in the predetermined bit pattern that the <u>current control information is to be used alone for decoding the transport channel</u>" or "a <u>second indication</u> in the predetermined bit pattern that the <u>control information from the earlier transmission is to be used to decode the transport channel</u>," as recited in Claims 1, 25, 27, 38, and 49. (Emphasis added). As discussed above, <u>Parkvall</u> discloses a TFCI$_{sf}$ bit for decoding data in a current transmission. <u>Parkvall</u> fails to teach or suggest any indication of whether the TFCI$_{sf}$ bit is to be used alone for decoding or whether control information from an earlier transmission is to be used for the decoding. It follows that the combination of <u>Chang</u> and <u>Parkvall</u> fails to teach or even suggest the elements recited in at Claims 1, 25, 27, 38, and 49 as amended.

For at least these reasons, Applicants respectfully submit that the combination of <u>Chang</u> and <u>Parkvall</u> does not teach each of the elements recited in Claims 1, 25, 27, 38, and 49. Applicants respectfully request withdrawal of the rejection of Claims 1, 25, 27, 38, and 49. For at least the same reasons, Applicants request withdrawal of the rejection of dependent Claims 2-5, 8-13, 18, 19, 24, 26, 28-37, 39-48, and 50-60.

II. Allowable Subject Matter

In addition, the Examiner states that "Claims 14-16 and 20-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for noting the allowable subject matter. However, as discussed above, Applicants respectfully submit that Claim 1 is in condition for allowance. As such, Applicants submit that Claims 14-16 and 20-23, which depend from Claim 1, are also in condition for allowance. Applicants respectfully request withdrawal of the objection to Claims 14-16 and 20-23.
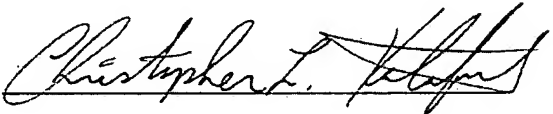
Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 19, 2008

By _(signature)_

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4286
Facsimile: (608) 258-4258

Christopher L. Kalafut
Attorney for Applicant
Registration No. 57,946

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